

FACT SUMMARY SHEET

For Revisions to the

UNDERGROUND STORAGE TANK REGULATIONS

4/5/2005

The Office of Waste Management is proposing the following amendments to the **Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials**, dated October 22, 2002.

AMENDMENTS TO REGULATIONS

Changes made to the UST Regulations were made as described by Rule as:

NO CHANGES

FORMAT CHANGES – Changes made for conformance with guidance or for continuity

CLARIFICATION CHANGES – No substantive change

MINOR CHANGES – Changes are not expected to significantly affect the regulated body

SIGNIFICANT CHANGES – Changes are expected to significantly affect the regulated body.

Rule 1 Purpose - NO CHANGES

Rule 2 Authority - NO CHANGES

Rule 3 Applicability

CLARIFICATION CHANGES: Subsection 3.03(B) was modified to reflect current requirements

Rule 4 Administrative Findings - NO CHANGES

Rule 5 Definitions

CLARIFICATION CHANGES: Definition 5.78 was added for submerged fill tube or drop tube.

CLARIFICATION CHANGES: Definition 5.83 was modified to reflect current requirements.

Rule 6 Facility registration and Notification

MINOR CHANGE: Subsection 6.08 (B) had been modified to extend the expiration date of the certificates of registration to September 30th annually.

CLARIFICATION CHANGES: Rule 6.16 (B) was modified to give an example of a change in information.

Rule 7 Financial Responsibility

SIGNIFICANT CHANGES: Rule 7.01 (A) has been deleted. Hazardous Waste USTs are now required to have financial responsibility.

Rule 8 Minimum UST Operation and Maintenance Requirements

MINOR CHANGE: Subsection 8.02 (F) Correct Filling Practices has been added for consistency with the Federal Regulations.

SIGNIFICANT CHANGE: Subsection 8.03 Mandatory Facility Compliance Inspections was added.

MINOR CHANGE: Subsection 8.08 (A)(3) has been added. This requires the interstitial space on a double-walled tank to be tested once the tank has been installed for twenty years and every two years thereafter.

SIGNIFICANT CHANGE: Subsections 8.08 (E) Waste Oil USTs has been added to clarify the leak detection requirements for waste oil USTs.

CLARIFICATION CHANGE: Subsection 8.09 Leak Detection for Piping has been modified to explain that piping contained in a fiber trench will be treated as single walled piping.

MINOR CHANGE: Subsection 8.10(D) Tank and Line Tightness Testing Requirements has been modified to require owners/operators to notify DEM of the date when the test will be conducted.

MINOR CHANGE: Subsection 8.13 Anti-Siphon Valves has been added.

Rule 9 New and Replacement Tank System Requirements

MINOR CHANGE: Subsection 9.08 Fill pipe Labeling has been added.

CLARIFICATION CHANGE: Subsection 9.13 (B) and 9.13 (C) (5) have been developed in the revised regulations to reflect the current requirements.

MINOR CHANGE: Subsections 9.16 (E) and (G) have been added.

CLARIFICATION CHANGE: Subsection 9.17 (F) has been added to reflect the current requirements.

Rule 10 Facility Modifications or repairs - NO CHANGES

Rule 11 Maintaining Records

FORMAT CHANGE: Subsection 11.03 (B) has been relocated from 11.03 (H).

Rule 12 Leak and Spill response - NO CHANGES

Rule 13 Closure:

CLARIFICATION CHANGE: Subsection 13.10 was modified to reflect current requirements.

Rule 14 Approval of Tank and/or Line Tightness tests, Leak Detection Methods and Tightness Tester Licensing requirements - NO CHANGES

Rule 15 Signatories to Registration and Closure Applications - NO CHANGES

Rule 16 Transfer of Certificates of Registration or Closure - NO CHANGES

Rule 17 Holding Tanks - NO CHANGES.

Rule 18 Variances - NO CHANGES

Rule 19 Appeals - NO CHANGES

Rule 20 Penalties - NO CHANGES

Rule 21 Severability - NO CHANGES

Rule 22 Superseded Rules and Regulations – NO CHANGES.

Rule 23 Effective Date

FORMAT CHANGE: This section was modified to reflect the current date.

APPENDIX A - Definition of Hazardous Substance – NO CHANGES

APPENDIX B – Applicable National Codes of Practice - NO CHANGES

APPENDIX C – Financial Responsibility Required 40 CFR 280 Subpart H - NO CHANGES

APPENDIX D – Manual Tank Gauging Record, was added for waste oil tanks